

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Stanley E. Jalowiec,) CASE NO. 1:03 CV 645
)
 Plaintiff,)
)
 v.) JUDGE DONALD C. NUGENT
)
 Margaret Bradshaw,) MEMORANDUM OPINION
) AND ORDER
 Defendant.)

This matter is before the Court as a result of a discovery dispute between the parties.

There have been numerous discussions related to the production of documents in this case. The party's, in this most recent dispute, have asked the Court to conduct an in camera review of a set of documents to determine whether they are protected from production based on the attorney work product doctrine or other privilege. Having reviewed all of the documents at issue, the Court finds that the following documents, or portions of documents are protected by the work product doctrine or are otherwise privileged and need not be turned over to the Plaintiff.

Box 5 of 5, dated 5/11/06, Shuck #1:

Hand written attorney notes

Post-conviction notification request

Box 5 of 5, dated 5/11/06, Shuck #2:

Research: copies of case law

Attorney notes on post-its (except those portions containing witness names and contact information or documenting communications with outside agencies)

Hand written attorney notes

Contents of file labeled "Jon's Notes & Jury"

Contents of file labeled "Law"

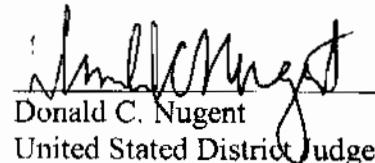
List of Grand Jury Questions

Grand Jury Transcripts

Memo from Det. Leiby to Asst. Prosecutor Rosenbaum re: Grand Jury Appearance

Post-Conviction Notification Requests

In addition to listing the documents above, the Court has marked each document that is not subject to production with an orange flag in the file. The remainder of the documents are not privileged and, pursuant to Federal Rule of Civil Procedure 26, should be turned over to the Plaintiff subject a protective order. Those documents which are to be turned over to the Plaintiff are for attorney eyes only. They may be used to assist in the taking of depositions and for the investigation and development of Plaintiff's case, however, any public filing which references or cites to those documents shall be filed with the Court under seal, unless both parties agree that the referenced information may be publically disclosed. IT IS SO ORDERED.



Donald C. Nugent
United States District Judge

Date: October 5, 2006